IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA CIVIL ACTION NO. 1:12-CV-00967-WO-JEP

RF MICRO DEVICES, INC.,))
Plaintiff,)
) Plaintiff's Further Submission
V.) in Support of Motion For
) Expedited Discovery
JIMMY S. XIANG, XIAOHANG DU,	
FENG WANG and VANCHIP)
TECHNOLOGIES LTD.)
)
Defendants.)
)

Through counsel, Plaintiff RF Micro Devices, Inc. ("RFMD") provides this Further Submission in Support of its Motion for Expedited Discovery ("Motion") (Dkts. 3-4) as follows:

- 1. As detailed in the Motion and supporting brief, RFMD would like to serve subpoenas on Google, Yahoo and AT&T to obtain documents concerning email accounts Defendants used through those internet service providers that may contain information relating to their complained-of conduct.
- 2. In connection with same, RFMD has sent letters to those entities informing them of RFMD's intention to serve subpoenas seeking such records once RFMD has the Court's permission to do so, and requesting that they preserve responsive documents. Unfortunately, Google and Yahoo recently responded to RFMD's letters by refusing to preserve responsive documents absent receipt of a valid subpoena or other legal process. (Exhibit A, Emails from Google and Yahoo).

3. RFMD therefore respectfully submits that the Court should grant the Motion as soon as possible so that RFMD can serve valid subpoenas on Google, Yahoo and AT&T. Otherwise, relevant documents may be destroyed in the ordinary course of their businesses. (*See* Dkt. 4, at pp. 6-7).

Dated: August 31, 2012

Respectfully submitted, /s/ John F. Morrow, Jr.

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Allen & Overy LLP is appearing pursuant to Local Rule 83.1(d). Counsel for Plaintiff RF Micro Devices Inc.

CERTIFICATE OF SERVICE

I certify that on August 31, 2012, I filed the foregoing document using this court's ECF system, which will serve a copy via email to all counsel of record.

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/s/John F. Morrow, Jr.

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